

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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VALERIE HARDY-MAHONEY, Regional
Director of the Thirty-Second Region of the
National Labor Relations Board, for and on
behalf of the National Labor Relations Board,

Petitioner,

v.

NEVADA GOLD MINES LLC DBA
NEVADA GOLD MINES,

Respondent,

and

NEWMONT USA LIMITED DBA
NEWMONT MINING CORP

Party-In-Interest.

Case No. 3:20-cv-00331-LRH-WGC

ORDER

On Friday, June 12, 2020, Respondent, Nevada Gold Mines LLC DBA Nevada Gold Mines (“NGM”) filed a motion for extension of time to submit its opposition to Petitioner’s motion for preliminary injunction (ECF No. 1). ECF No. 9. Also on Friday, NGM filed an *ex parte* motion for an order shortening time for Petitioner to respond to NGM’s motion for extension of time (ECF No. 9). ECF No. 10. Because NGM’s response to Petitioner’s motion for preliminary injunction was then due June 18, 2020, the court granted NGM’s motion to shorten time, ordered the Petitioner to submit its Response to NGM’s motion for an extension of time no later than

1 Wednesday, June 17, 2020, and stayed the June 18, 2020 response deadline, pending further order
2 of this court. ECF No. 11. Accordingly, Petitioner responded to NGM's extension of time motion,
3 arguing that it declined to stipulate to an extension because Section 10(j) motions (of the National
4 Labor Relations Act, 29 U.S.C. § 160(j)), for temporary injunctive relief require expedited
5 consideration to "avoid permanent harm due to the passage of time inherent in the Board's
6 protracted administrative processes." ECF No. 12 at 2.

7 The court has reviewed the parties' filings and finds that good cause supports giving NGM
8 an extension to file its opposition. While it appears that NGM has been aware that the National
9 Labor Relations Board has been considering a Section 10(j) action since January 2020, the court
10 recognizes that the petition before the court is quite voluminous—the petition and memorandum
11 together is over 1,000 pages long. However, the court also recognizes the need for handling such
12 petitions in timely manner, and therefore, it shall grant NGM a 1-week extension to file its
13 opposition.

14 IT IS THEREFORE ORDERED that the court **GRANTS in part** and **DENIES in part**
15 NGM's motion for an extension to file its opposition (ECF No. 9); NGM has until Friday, June 26,
16 2020 to file its opposition.

17 IT IS FURTHER ORDERED that NGM's request for Rule 11 sanctions is not properly
18 before the court in its motion for an extension to file its opposition. *See* FED. R. CIV. P. 11(c)(2)
19 ("A motion for sanctions must be made separately from any other motion and must describe the
20 specific conduct that allegedly violates Rule 11(b)."). Accordingly, any request for sanctions is
21 **DENIED without prejudice** at this time.

22
23 IT IS SO ORDERED.

24 DATED this 18th day of June, 2020.

25
26 
27 LARRY R. HICKS
28 UNITED STATES DISTRICT JUDGE